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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,065	12/31/2001	Bent Neubert	Q67943	5652

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EXAMINER

NOVOSAD, JENNIFER ELEANORE

ART UNIT	PAPER NUMBER
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3634

DATE MAILED: 11/04/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/032,065

Applicant(s)

NEUBERT, BENT

Examiner

Jennifer E. Novosad

Art Unit

3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6 and 8-16 is/are pending in the application.
- 4a) Of the above claim(s) 11-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-6 and 8-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This final Office action is in response to the amendment filed August 22, 2003 (Paper No. 11). *Accordingly*, claims 2 and 7 have been canceled.

Status of the claims

Claims 11-16 stand withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a non-elected invention, there being no linking claim. Election was made without traverse in Paper No. 8. *Accordingly*, in view of the indication of allowable subject matter, as advanced below, it is suggested that claims 11-16 be explicitly canceled in the next response.

Drawings

The substitute sheets of drawings filed on August 22, 2003 (Paper No. 12) are approved.

Specification

The disclosure is objected to because it appears that "Figs. 11a and 12b" (added in the amendment of August 22, 2003 - see page 3) in the description of the figures, should be changed to --Figs. 11a and 11b--.

Claim Objections

Claims 5, 6 and 8 are objected to because of the following informalities:

In line 4 of claim 5, it is suggested that --the-- before "distal ends" be deleted.

Art Unit: 3634

In claim 6, line 6, "holder" should be changed to --holding--, in view of line 1 of the claim.

In lines 6 and 7 of claim 8, it appears that "a" (before "support" in line 7 and before "releasable" in line 8) should be changed to --the-- since these elements have been set forth in lines 2 and 3, respectively, of the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 3-5, 6, and 8-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The language of the limitation "each bar member being formed from a single piece of wire material" in lines 6-7 of claim 1 renders the claim indefinite since it is unclear whether all of the bar members are made from the same piece of material. *To correct this*, it is suggested that --individually-- be inserted before "formed" in line 7.

The recitation "to distend" in line 11 of claim 1 renders the claim indefinite since the positively recited "bar members" are being improperly linked to the functionally recited "glove". *To correct this*, it is suggested that --adapted-- be inserted before "to distend" in line 11.

The language of the limitation "distinct pairs of outer bar members" in claim 3 renders the claim indefinite since it is unclear how many "pairs" are being set forth. It is noted that five

Art Unit: 3634

fingers would inherently have two pairs and only one “outer” pair. *Accordingly*, claim 4 is rendered indefinite since the language of the claim makes the structural relationship of the elements unclear. *In particular*, it is noted that an “outermost bar member” (emphasis added) has not been properly set forth.

Claim 3 is rendered further indefinite since it is unclear whether the “ends” (of the bar members) and the “mounting holes” (in the base) recited in line 4 of claim 3 are the same as the “ends” and “mounting holes” set forth in line 7 of claim 1. *Accordingly*, if these elements are the same it appears redundant to recite the elements in claim 3 without further defining the elements in some way. *Further*, claim 3 recites the limitation “the respective set” in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation “the finger configuration” in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 8 recites the limitation “said glove member mounting means” in line 2. There is insufficient antecedent basis for this limitation in the claim. *To correct this*, it appears that “member” should be changed to --holder-- in view of line 5 of claim 6.

As previously indicated, the term “shallow” in claim 8 (see line 5) is a relative term which renders the claim indefinite since the term is not defined by the claim.

Allowable Subject Matter

Claims 1, 3-5; 6 and 8-10 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

The following is a statement of reasons for the indication of allowable subject matter:

Art Unit: 3634

With respect to claim 1, the prior art of record fails to show or suggest a glove holding member having fingers formed by a configuration of bar members each being formed from a piece of wire material (see line 7) whereby ends of each bar member are secured in two mounting holes in the base (see lines 7-8), as specifically called for in the claimed combination of claim 1. *With respect to Sawyer*, although Sawyer '682 shows a glove holding member being formed from a wire material, each finger member does not have ends secured in two mounting holes.

With respect to claim 6, the prior art of record fails to show or suggest a combination of a glove holding member and a system for transporting and/or cleaning equipment, whereby the glove holding member comprises an engagement means (see line 8) which releasably engages the glove holder mounting member provided on the system (see line 5) whereby the glove holder mounting means further comprises a hook member and a guide member (see line 9) and a recess on the base of the glove holding member is engageable with the guide member (see line 12) and an opening in the base of the glove holding member engages the hook member (see line 11), as specifically called for in the claimed combination of claim 6.

Response to Arguments

Applicant's arguments concerning claims 1-10 have been fully considered and in view of the amendment to the claims 1, 3-5, 6 and 8-10 have been indicated as being allowable, as advanced above.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer E. Novosad whose telephone number is (703)-305-2872. The examiner can normally be reached on Monday-Thursday, 5:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (703)-308-2686. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-1113.

Jennifer E. Novosad/jen
November 3, 2003



DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600